



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

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Results of Brief Enforcement Hearings – May 23, 2008

2007 Terrill Bornemann Campaign: Terrill Bornemann was a candidate seeking re-election to the Bellingham City Council in 2007. Mr. Bornemann filed a Candidate Registration Statement on May 3, 2007, selecting the full reporting option.

PDC Case No: 08-086

Results: The Presiding Officer found that the 2007 Terrill Bornemann Campaign (the "campaign") violated RCW 42.17.060 on numerous occasions by failing to timely deposit monetary contributions received by the campaign within five business days of receipt as required by statute. The campaign failed to timely deposit \$10,111 in monetary contributions received during the election cycle within five business days of receipt, which represented 57.6% of the total monetary contributions received by the campaign, and the late deposited contributions. Those contributions were deposited between 2 and 87 days beyond the required deposit date.

The Presiding Officer dismissed the allegations against the campaign regarding improperly identifying the office sought on C-3 and C-4 reports, inadvertently filing C-4 reports as a candidate appearing on the 2007 primary ballot, failing to list the expenditure codes for six expenditures, and failing to timely disclose campaign expenditures for the 2007 campaign kickoff fund raiser.

Assessed Penalty: The Presiding Officer assessed a \$250 civil penalty against the 2007 Terrill Bornemann Campaign, of which \$125 is suspended on the condition that no further violations of RCW 42.17 are committed for four years from the date of the order, and the \$125 non-suspended portion of the penalty is paid within 60 days.

Dan Pike: Dan Pike was a first-time candidate seeking the office of Mayor of Bellingham in 2007 and he filed a Candidate Registration Statement on January 25, 2007, selecting the Full Reporting option. Mr. Pike served as Transportation Director for Skagit County Council of Governments in 2007

PDC Case No: 08-089 and 08-110

Results: The Presiding Officer found that Dan Pike violated: 1) RCW 42.17.040 on one occasion by failing to timely file a Candidate Registration Statement (PDC Form C-1); 2) RCW 42.17.080 and .090 on multiple occasions by failing to timely file Monetary Contribution Reports (PDC Form C-3) and Summary Contribution and Expenditure Reports (PDC Form C-4); and 3) RCW 42.17.130 on multiple occasions by using his

office computer at the Skagit Council of Governments to send campaign-related e-mails that assisted his campaign for Bellingham Mayor.

The Presiding Officer dismissed the allegations against Mr. Pike regarding the failure to: 1) timely deposit campaign contributions; 2) list the purpose or description for campaign expenditures; 3) attribute a loan received in March of 2007 for the primary election; and 4) list the occupation and employer and address for contributors.

Assessed Penalty: The Presiding Officer assessed a \$500 civil penalty against Dan Pike, of which \$250 is suspended on the condition that no further violations of RCW 42.17 are committed for four years from the date of the order, and the \$250 non-suspended portion of the penalty is paid within 60 days.

Yes for South King Fire Campaign: The South King County Fire and Rescue district was created after a September 2005 ballot proposition was approved by citizens within the City of Des Moines merging King County Fire Protection Districts No. 26 with No. 39. Yes for South King Fire Campaign is a political committee that was formed to support Proposition #1, a Levy Lid Lift for South King County Fire & Rescue on the August 21, 2007, primary election ballot.

PDC Case No: 08-112

Results: The Presiding Officer found that Yes for South King Fire Campaign violated: 1) RCW 42.17.040 by failing to timely file a Committee Registration Statement (PDC Form C-1pc); and 2) RCW 42.17.080 and .090 by failing to timely file Monetary Contribution Reports (PDC Form C-3) and Summary Contribution and Expenditure Reports (PDC Form C-4), including the 21-day and 7-day pre-election C-4 reports. On December 3, 2007, Yes for South King Fire Campaign filed a C-1pc, four C-3 reports and a C-4 report disclosing the committee received \$6,883 in contributions and made expenditures totaling \$6,883 for the campaign.

The Presiding Officer noted that Yes for South King Fire Campaign contacted PDC staff and self-reported that the committee failed to timely register and report as a political committee, which led to a PDC staff generated complaint being filed.

Assessed Penalty: The Presiding Officer assessed a \$400 civil penalty against Yes for South King Fire Campaign, of which \$200 is suspended on the condition that no further violations of RCW 42.17 are committed through the next election, and the \$200 non-suspended portion of the penalty is paid within 60 days.

Nick Licata: Nick Licata is serving his third term of office as a Seattle City Council member. His current term of office expires December 31, 2009. Nick Licata contacted PDC staff and self-reported that he may have violated state law.

PDC Case No: 08-113

Results: The Presiding Officer found that Nick Licata violated RCW 42.17.190 on one occasion by using the facilities of the City of Seattle to engage in an indirect lobbying campaign by sending out an e-mail using his city computer that urged recipients to contact members of the Washington State Legislature to support legislation during the 2008 Legislative session. The e-mail was sent to a number of non-city employees asking them to contact legislators on the House Transportation Committee and urge them to support a bill addressing pedestrian safety. The Presiding Officer noted that Nick Licata

contacted PDC staff and self-reported the violation which led to the PDC staff generated complaint being filed.

Assessed Penalty: A \$50 penalty was assessed by the Presiding Officer against Nick Licata.

The *Monroe Monitor* and Ken Robinson, Publisher: The *Monroe Monitor* is the official newspaper of Monroe, Washington, and a DBA of Robinson Communications, Incorporated. Ken Robinson is the newspaper's publisher, and a part owner of Robinson Communications, Inc.

PDC Case No. 08-106

The Presiding Officer found that the *Monroe Monitor* and Ken Robinson, as a commercial advertiser, violated RCW 42.17.110 on one occasion by failing to timely make its records available for open public inspection for political advertising that was provided to a Monroe City Council candidate in October of 2007 as in-kind contributions. The records were made available to the public by staff members of the *Monroe Monitor* on approximately November 5, 2007, one day before the 2007 general election and 14 days after the initial request. The compiled record consisted of information that was already in existence regarding the political advertisements in support of the Margie Rodriguez campaign, and that copies of those records were available on the counter of the *Monroe Monitor's* offices in downtown Monroe.

The Presiding Officer dismissed the allegations against the Respondent regarding the concealment issue.

Assessed Penalty: In lieu of a civil penalty, the Presiding Officer accepted the Respondent's proposal to organize training to be coordinated with the PDC staff and members of the Washington Newspaper Publishers Association regarding the requirements for commercial advertisers under RCW 42.17.110.

2007 Group Enforcement

Failure to timely file 2007 21-day and/or the 7-day pre-general election C-4 reports

- See attached spreadsheets for results of Group Enforcement hearings.

Results of May 23, 2008 Brief Enforcement
2007 Election C-4 Group Enforcement
Late Filing of 21-day Pre-General Election C-4 Report
PDC Chair Bill Brumsickle, Presiding Officer

Case No	Last Name	First Name	Office Title	Jurisdiction	Date Due	Date Filed	Days Late	Contributions	Expenditures	Hearing Results
08-122	Leavitt	Timothy	City Council member	City of Vancouver	10/16/2007	10/30/2007	14	\$ 475.00	\$ 2,762.56	Violation of RCW 42.17.080 and .090. A \$100 penalty was assessed.
08-123	Neary	Walter	City Council member	City of Lakewood	10/16/2007	10/31/2007	15	\$ 1,150.00	\$ 1,581.81	Violation of RCW 42.17.080 and .090. A \$100 penalty was assessed, with \$50 suspended on the condition of no violations for the next four years, and the \$50 non-suspended penalty is paid within 60 days.
08-124	Perrie	John	City Council member	City of Ellensburg	10/16/2007	10/30/2007	14	\$ 7,500.00	\$ 7,406.94	Violation of RCW 42.17.080 and .090. A \$150 penalty was assessed, with \$75 suspended on the condition of no violations for the next four years, and the \$75 non-suspended penalty is paid within 60 days..

Results of May 23, 2008 Brief Enforcement Hearing
2007 General Election Group Enforcement
Late Filing of 7-Day Pre-General Election C-4 Report
PDC Chair Bill Brumsickle, Presiding Officer

Case No	Last Name	First Name	Office Sought	Jurisdiction	Date Due	Date Filed	Days Late	Contributions	Expenditures	Hearing Results
08-116	Affholter	Shannon	City Council Member	City of Everett	10/30/2007	1/6/2008	68	\$ 3,500.00	\$ 4,186.61	Violation of RCW 42.17.080 and .090. A \$150 penalty was assessed, with \$75 suspended on the condition of no violations for the next four years.
08-127	Jara	Carlos	City Council Member	City of Bremerton	10/30/2007	11/5/2007	6	\$70.00	\$ 992.69	Violation of RCW 42.17.080 and .090. No penalty was assessed.
08-117	Munns	Joy (Beth)	City Council Member	City of Oak Harbor	10/30/2007	12/23/2007	54	\$ 250.00	\$ 1,637.07	Violation of RCW 42.17.080 and .090. A \$50 penalty was assessed.
08-118	Schaer	Joshua	City Council Member	City of Issaquah	10/30/2007	12/10/2007	41	\$ 1,409.00	\$ 3,186.36	Violation of RCW 42.17.080 and .090. A \$100 penalty was assessed, with \$50 suspended on the condition of no violations for the next four years.
08-119	Taylor	Gregory	City Council Member	City of Renton	10/30/2007	11/4/2007	5	\$ 3,145.00	\$ 5,486.56	Violation of RCW 42.17.080 and .090. A \$100 penalty was assessed, with \$50 suspended on the condition of no violations for the next four years, and the \$50 non-suspended penalty is paid within 60 days.
08-120	Thomas	Claudia	City Council Member	City of Lakewood	10/30/2007	11/30/2007	31	\$ 2,872.00	\$ 9,588.58	Violation of RCW 42.17.080 and .090. A \$200 penalty was assessed, with \$100 suspended on the condition of no violations for the next four years, and the \$100 non-suspended penalty is paid within 60 days.

Results of May 23, 2008 Brief Enforcement Hearing
2007 Election: C-4 Group Enforcement
Late Filing or Missing 21-Day and 7-Day Pre-General C-4 Reports
PDC Chair Bill Brumsickle, Presiding Officer

Case No	Last Name	First Name	Office Sought	Jurisdiction	Date Due	Date Filed	Days Late	Contributions	Expenditures	Hearing Results
08-128	Lilliquist	Michael	City Council member	City of Bellingham	10/16/2007	11/5/2007	20	\$ 4,304.03	\$ 2,701.09	Violation of RCW 42.17.080 and .090. A \$150 penalty was assessed, with \$75 suspended on the condition of no violations for the next four years.
"	Lilliquist	Michael	City Council member	City of Bellingham	10/30/2007	11/5/2007	6	\$ 2,892.00	\$ 4,511.60	"
08-129	Shogan	Alexander	City Council President	City of Spokane	10/16/2007	10/29/2007	13	\$ 1,575.00	\$ 3,285.66	Violation of RCW 42.17.080 and .090. A \$250 penalty was assessed, with \$125 suspended on the condition of no violations for the next four years.
"	Shogan	Alexander	City Council President	City of Spokane	10/30/2007	12/11/2007	42	\$ 1,680.00	\$ 4,007.71	"
08-130	Spencer	John	City Council member	City of Lake Steven	10/16/2007	12/10/2007	55	\$ 2,360.84	\$ 2,408.71	Violation of RCW 42.17.080 and .090. A \$150 penalty was assessed, with \$75 suspended on the condition of no violations for the next four years.
"	Spencer	John	City Council member	City of Lake Steven	10/30/2007	12/10/2007	41	\$ 1,700.00	\$ 1,746.11	"
08-131	Stanley	Edward	City Council member	City of Tumwater	(*)	(*)	(*)	\$ 250.00	\$ 1,656.00	Violation of RCW 42.17.080 and .090. A \$50 penalty was assessed and is payable within 60 days of the order.

(*) Filed on C-4 report covering period of 8/15 - 10/30 on November 5, 2007. Unopposed on ballot.